



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91802-1460

September 23, 2004

IN REPLY PLEASE

REFER TO FILE: **MP-5**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF INTENTION TO VACATE
FETTERLY AVENUE NORTH OF 3RD STREET AND TO
SET ASIDE PORTION OF COUNTY-OWNED PROPERTY FOR HIGHWAY PURPOSES
EAST LOS ANGELES - FUTURE PUBLIC HEARING
SUPERVISORIAL DISTRICT 1
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the enclosed Resolution of Intention to Vacate a portion of Fetterly Avenue north of 3rd Street, set aside portions of County-owned property for road purposes, and accept the areas set aside into the County System of Highways, in the unincorporated County area known as East Los Angeles, pursuant to Sections 941 and 8320, et seq., of the California Streets and Highways Code.
2. Set the matter for hearing not less than 15 days from the adoption of the Resolution pursuant to Section 8320 of the California Streets and Highways Code.
3. Instruct the Executive Officer of the Board to publish the enclosed Notice of Proposed Vacation, Set Aside and Acceptance pursuant to Section 8322 of the California Streets and Highways Code.

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the enclosed Resolution to Vacate with Reservations, set aside portions of County-owned property for streets and highways, and accept the areas set aside into the County System of Highways on the date of the hearing, pursuant to Section 8324 of the Streets and Highways Code, after finding that:
 - a. The vacation of Fetterly Avenue, setting aside of County-owned property, and acceptance of areas set aside into the County System of Highways are categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
 - b. The area proposed to be vacated is no longer needed for present or prospective public use, including bicycle paths and trails.
 - c. The areas to be set aside and accepted into the County System of Highways are necessary to public convenience.
 - d. The public convenience and necessity require the reservation and exception of easements and rights as set forth in Section 8340 of the California Streets and Highways Code.
2. Accept Civic Center Way and portions of 3rd Street into the County System of Highways for maintenance purposes.
3. Upon approval, authorize Public Works to record the certified original Resolution in the Office of the Recorder of the County of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Chief Administrative Office, on behalf of the County of Los Angeles, the underlying fee owner, requested this vacation to remove from the record all public easement rights within the street right of way. The vacation of Fetterly Avenue and setting aside of alternate accesses will improve vehicular and pedestrian traffic. The vacation will also result in providing additional parking areas to the Civic Center complex.

The setting aside of County-owned property would result in creating public rights of way for the convenience of the public. These rights of way are necessary components of the

Civic Center complex, designed to alleviate traffic, improve circulation, and create an open park character in the project area.

It is in the County's interest to vacate the right of way since it is not needed for general public access, circulation, or for bicycle paths and trails. The vacation will neither cut off access to adjacent properties nor negatively impact the surrounding properties.

Implementation of Strategic Plan Goals

This action is consistent with the County's Strategic Plan Goal of Service Excellence as the vacation of Fetterly Avenue and setting aside of County-owned property for streets and highways will result in the betterment of the quality of life for the general public who avail themselves of the County facilities in the Civic Center area.

FISCAL IMPACT/FINANCING

No fee was collected to process the Vacation and Set Aside, as this is a County-initiated project. The vacation and additional rights of way acquired and added to the County System of Highways will have minimal fiscal impact on the County budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 54,081 square feet and is shown on the map attached to each Resolution. The sum of the areas to be set aside is approximately 27,114 square feet.

The County's interest on the area to be vacated was acquired by dedication on Map of Maravilla Park, recorded in Book 18, page 168, of Maps, on file in the Office of the Recorder of the County of Los Angeles, on November 14, 1911, as an easement for street and highway purposes.

The Public Streets, Highways, and Service Easement Vacation Law (Section 8300, et seq., of the California Streets and Highways Code) allows your Board to relinquish the County's interest and terminate the public's right over the roadway. Section 941 gives authority to your Board to devote County-owned property to specific public purposes.

ENVIRONMENTAL DOCUMENTATION

With respect to the requirements of CEQA, this proposed vacation is categorically exempt as specified in Classes 1, 4, 5, and 21 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Sections 15301, 15304, 15305, and 15321 of State CEQA Statutes and Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The County of Los Angeles Fire Department has found that no fire protection facilities will be affected by the proposed vacation and set aside. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation of Fetterly Avenue, widening of 3rd Street, and setting aside a portion of County-owned property for Civic Center Way are not in conflict with the County-adopted General Plan. Existing easement rights for utility facilities will be reserved to SBC (Pacific Bell), Southern California Edison Company, The Gas Company, California Water Service Company, and Adelphia (BuenaVision Cable).

CONCLUSION

This action is in the County's best interest. Enclosed are a Resolution of Intention and a Resolution to Vacate with Reservations, set aside County-owned property for street and highway purposes and acceptance of areas set aside into the County System of Highways, approved as to form by County Counsel. Upon adoption of the Resolution of Intention, please transmit two conformed copies of the Resolution and the Notice of Proposed Vacation, set aside and acceptance to Public Works, which will post the Notice pursuant to California Streets and Highways Code Section 8323. Upon adoption of the Resolution, please return one executed original, together with two conformed copies and a copy of the Board's minute order, for further processing. Public Works will record the Resolution and return the executed original Resolution to you when recorded. In the interim, please retain one executed original for your files.

The Honorable Board of Supervisors
September 23, 2004
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One approved copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE
Interim Director of Public Works

CVC:psr
P5:\BD LTR FETTERLY AVE

Enc.

cc: Chief Administrative Office
County Counsel

**RESOLUTION OF INTENTION TO VACATE, SET ASIDE
COUNTY-OWNED PROPERTY FOR STREET AND HIGHWAY PURPOSES,
AND TO ACCEPT AREAS SET ASIDE INTO THE COUNTY SYSTEM OF HIGHWAYS**

WHEREAS, it is proposed that Fetterly Avenue north of 3rd Street be vacated as a public street/highway; and

WHEREAS, it is necessary to public convenience that portions of County-owned property, to be known as 3rd Street and Civic Center Way, be set aside for streets and highways purposes and accepted into the County System of Highways; and

WHEREAS, the proposed vacation, set aside, and acceptance have been approved by the Interim Director of the County of Los Angeles Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California, that it is the intention of said Board of Supervisors to order that the aforementioned rights of way legally described in Exhibit "A" and as shown by the map in Exhibit "C" attached hereto and incorporated herein by this reference covering the rights of way in the County of Los Angeles, State of California, be set aside and accepted into the County System of Highways pursuant to Chapter 2, Division 2, Section 941 of the Streets and Highways Code, State of California.

BE, IT FURTHER RESOLVED, that it is the intention of said Board of Supervisors to order that the aforementioned right of way legally described in Exhibit "B" and as shown by the map in Exhibit "C" attached hereto and incorporated herein by this reference covering the right of way in the County of Los Angeles, State of California, be vacated pursuant to Chapter 3, part 3, Division 9, Section 8320 et seq., of the Streets and Highways Code, State of California.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, the ____ day of _____, 20____, at the hour of _____ a.m./p.m. of said day, is the day and hour, and the Hearing Room of the Board of Supervisors, 381 Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California, 90012, is the place fixed by the Board of Supervisors when and where any and all persons having objections to the proposed vacation, set aside, and acceptance may appear before said Board of Supervisors and show cause why said proposed vacation, set aside, and acceptance should not be made in accordance with this Resolution.

IT IS FURTHER ORDERED that a notice of such proposed vacation, set aside, and acceptance is to be conspicuously posted, along the line of the areas proposed to be vacated, set aside, and accepted in the manner and in the form required by law, and shall cause same to be published in _____, a newspaper of general circulation published in the County, for at least two successive weeks prior to the day fixed for the hearing.

The foregoing Resolution was on the _____ day of _____, 20____, adopted and ordered by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

APPROVED AS TO FORM:
OFFICE OF THE COUNTY COUNSEL

By _____
Deputy

By _____
Deputy

CVC:psr
P5:\BD LTR FETTERLY AVE

**NOTICE OF PROPOSED VACATION OF FETTERLY AVENUE,
SETTING ASIDE OF COUNTY-OWNED PROPERTY FOR STREET AND HIGHWAY
PURPOSES, AND ACCEPTANCE OF AREAS SET ASIDE INTO THE COUNTY
SYSTEM OF HIGHWAYS IN THE VICINITY OF EAST LOS ANGELES
IN THE 1ST SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a Resolution of Intention was adopted by the Board of Supervisors of the County of Los Angeles on _____ 20____, declaring its intention to vacate Fetterly Avenue, set aside a portion of County-owned property for streets and highways north of 3rd Street, and accept the area set aside into the County System of Highways (East Los Angeles, California, 90022) in the 1st Supervisorial District, as described in Exhibits "A" and "B" and as shown by the map in Exhibit "C" attached hereto and incorporated herein by reference .

The set aside and acceptance into the County System of Highways are undertaken under Chapter 2, Division 2, Section 941, and the vacation proceeding is conducted pursuant to Chapter 3, Part 3, Division 9, commencing with Section 8320, et seq., of the Streets and Highways Code of the State of California.

A hearing on the proposed vacation, set aside, and acceptance of the area set aside into the County System of Highways will be held in the Hearing Room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California, 90012, on _____, _____ 20____, at _____ a.m./p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California, adopted _____, 20____.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

APPROVED AS TO FORM:
OFFICE OF THE COUNTY COUNSEL

By _____
Deputy

By _____
Deputy

**RESOLUTION TO VACATE WITH RESERVATIONS,
SET ASIDE PORTIONS OF COUNTY-OWNED PROPERTY FOR STREET AND
HIGHWAY PURPOSES, AND ACCEPT AREAS SET ASIDE INTO THE
COUNTY SYSTEM OF HIGHWAYS**

WHEREAS, the Board of Supervisors of the County of Los Angeles, State of California, did on _____, 20____, adopt the Resolution of Intention to Vacate as a public street or highway Fetterly Avenue, set aside portions of County-owned property for street and highway purposes, and accept the areas set aside into the County System of Highways, to be known as 3rd Street and Civic Center Way, north of 3rd Street in the vicinity of East Los Angeles in the County of Los Angeles, State of California, legally described in Exhibits "A" and "B" and shown by map in Exhibit "C" all attached to said Resolution; pursuant to Chapter 2, Division 2, Section 941 and Chapter 3, Part 3, Division 9, commencing with Section 8320 et seq. of the Streets and Highways Code, State of California; and

WHEREAS, pursuant to said Resolution, notice of proposed vacation, set aside, and acceptance has been given by publication and by posting; and

WHEREAS, said Board of Supervisors held a public hearing on said proposed vacation, set aside, and acceptance on _____, 20____; and

WHEREAS, said Board of Supervisors has found and determined that the area to be vacated is no longer necessary for present or prospective public use based upon the following facts: That the subject right of way is not required for general public access or circulation, including bicycle paths and trails;

WHEREAS, said Board of Supervisors has found and determined that the areas to be set aside are necessary to public convenience for the improvement of 3rd Street and Civic Center Way.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, that the above-referenced rights of way (3rd Street and Civic Center Way) are hereby set aside for street and highway purposes and accepted into the County System of Highways pursuant to Chapter 2, Division 2, Section 941, and that the above-mentioned portion of Fetterly Avenue is hereby vacated pursuant to Chapter 3, Part 3, Division 9, Section 8320 et, seq., of the Streets and Highways Code, State of California; reserving and excepting therefrom easements and rights for utility facilities owned by SBC (Pacific Bell), Southern California Edison, The Gas Company, California Water Service Company, and Adelphia (BuenaVision Cable) as set forth in Sections 8340 and 8341 of said Streets and Highways Code.

AND BE IT FURTHER RESOLVED that the Department of Public Works be authorized to record the certified original Resolution in the Office of the Recorder of the County of Los Angeles, at which time the area vacated will no longer be a public street or highway and the areas set aside become public rights of way. The roads to be known as 3rd Street and Civic Center Way, accepted into the County System of Highways, shall hereafter constitute County highways, as defined in Section 960.5 of the Streets and Highways Code of the State of California.

The foregoing Resolution was on the _____ day of _____, 20____
adopted by the Board of Supervisors of the County of Los Angeles, State of California.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

APPROVED AS TO FORM:
OFFICE OF THE COUNTY COUNSEL

By _____
Deputy

By _____
Deputy

CVC:psr
P5:\BD LTR FETTERLY AVE

East Los Angeles Civic Center
Complex
A.M.B. 5250-001, 002, 003 & 026
T.G. 635-G6
I.M. 114-237
First District
M0076103

EXHIBIT "A"

Description of Parcels of Land to be Set Aside by County of Los Angeles for Public Road and Highway Purposes

PART A:

The southerly 5 feet of Lots 1 and 51, Block 9 of MARAVILLA PARK, recorded in Book 18, page 168 of Maps, in the Office of the Recorder of the County of Los Angeles.

Excepting, therefrom, that portion set-aside to said county for public road and highway purposes in a deed recorded as Document No. 6092 on November 12, 1975, in Book D6867, page 247 of Official Records, in the office of said recorder.

To be known as 3RD STREET.

PART B:

That portion of that certain parcel of land described in a Vacation Resolution adopted by the Board of Supervisors of said County on July 30, 1968, and recorded on July 31, 1968, as Document No. 3126, in Book D4084, page 966, of said Official Records, lying southerly, southwesterly, and westerly of a line described as follows:

Beginning at a point on the southeasterly sideline of Mednick Avenue, 108 feet wide, described in Parcel 6-35 in deed to said County, for Mednick Avenue, recorded on November 16, 1966, as Document No. 2256, in Book D3483, page 737 of said Official Records, said point being the beginning of a curve concave to the northeast, having a radius of 27 feet, tangent to said mentioned sideline and tangent to the westerly prolongation of the northerly line of above-described Parcel A; thence southerly and easterly along said curve to said westerly prolongation; thence easterly along said westerly prolongation to the westerly boundary of above-mentioned Lot 1.

To be known as 3RD STREET.

PART C:

The southerly 5 feet of Lot 1, Block 10 of said MARAVILLA PARK.

To be known as 3RD STREET.

PART D:

Those portions of Lots 152, 153, and 154 of Tract No. 10665, as shown on map recorded in Book 164, pages 9 to 12, inclusive, of Maps, that portion of that certain Alley described in "Parcel B" in a Vacation Resolution, adopted by the Board of Supervisors of said County on July 20, 1954, and recorded on July 21, 1954, as Document No. 2607, in Book 45118, page 338 of said Official Records, and that portion of Section 32, Township 1 South, Range 12 West, S.B.M. in the REPETTO RANCHO as shown on map recorded in Book 759, pages 21 and 22 of Deeds, all filed in said recorder's office lying within a strip of land 60 feet wide, lying 30 feet on each side of the following described line:

Commencing at the intersection of the southerly prolongation of the westerly boundary of said Tract No. 10665 and the center line of 3RD STREET (formerly known as BEVERLY BOULEVARD), 100 feet wide, as shown on said last-mentioned tract; thence easterly along said center line North $89^{\circ}59'14''$ East 70.54 feet; thence leaving said center line North $0^{\circ}00'00''$ West to the southerly line of said above-mentioned Lot 153, said point being the TRUE POINT OF BEGINNING; thence North $0^{\circ}00'00''$ West 358.17 feet.

To be known as CIVIC CENTER WAY.

PART E:

That portion of above-mentioned Lot 152 within the following described boundaries:

Beginning at the intersection of the westerly line of above-mentioned Part D and the southerly line of said Lot 152; thence northerly along said westerly line to the beginning of a curve concave to the northwest and having a radius of 13.00 feet, tangent to said westerly line and tangent to said southerly line; thence southwesterly along said curve to said southerly line; thence easterly along said southerly line to point of beginning.

To be known as CIVIC CENTER WAY.

PART F:

That portion of above-mentioned Lot 154 within the following described boundaries:

Beginning at the intersection of the easterly line of above-mentioned Part D and the southerly line of said Lot 154; thence northerly along said easterly line to the beginning of a curve concave to the northeast and having a radius of 13.00 feet, tangent to said easterly line and tangent to said southerly line; thence southeasterly along said curve to said southerly line; thence westerly along said southerly line to point of beginning.

To be known as CIVIC CENTER WAY.

PART G:

Those portions of Lots 156 to 159, inclusive, of said Tract No. 10665, and that portion of La Verne Avenue described in "Parcel A" in a Vacation Resolution adopted by the Board of Supervisors of said County on July 20, 1954, and recorded on July 21, 1954, as Document No. 2607, in Book 45118, page 338 of said Official Records, lying within the following described boundaries:

Commencing at the intersection of the southerly prolongation of the westerly boundary said Tract No. 10665 and the center line of 3RD STREET (formerly known as BEVERLY BOULEVARD), 100 feet wide, as shown on said last-mentioned tract; thence easterly along said center line North 89°59'14" East 387.70 feet; thence North 0°00'00" West 50 feet to the northerly side line of said 3RD STREET, for the purpose of this description designated as point "A"; thence continuing northerly to a point on a line parallel with and 19 feet northerly, measured at right angles, from said northerly sideline said point being the TRUE POINT OF BEGINNING; thence westerly along said parallel line 80.00 feet; thence southwesterly in a direct line to a point on said northerly sideline distant thereon 112.16 feet westerly from above-mentioned point "A"; thence easterly along said northerly sideline of 3RD STREET 224.32 feet; thence northwesterly in a direct line to a point in said parallel line distant thereon easterly thereon 80.00 feet from the TRUE POINT OF BEGINNING; thence westerly along said parallel line to the TRUE POINT OF BEGINNING.

To be known as 3RD STREET.

Total Area: 13,577 ± square feet.

Description Approved

DONALD L. WOLFE
Interim Director of Public Works

By _____
Cadastral Engineer II

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the Land Surveyors Act.

RH:llb
P5:exhb-a(ELACC)

East Los Angeles Civic Center
Complex
A.M.B. 5250-001,002,003 & 026
T.G. 635-G6
I.M. 114-237
First District
M0076103

EXHIBIT "B"

Description of Parcels of Land to be Vacated.

PART A:

That portion of FETTERLY AVENUE (formerly known as RIVERSIDE AVENUE), 60 feet and variable width, in the unincorporated territory of the County of Los Angeles, State of California, as shown on and dedicated to the public use, by map of MARAVILLA PARK, recorded in Book 18, page 168 of Maps, in the Office of the Recorder, of said County; bounded on the north by the easterly prolongation of the northerly line of Lot 86, Block 9, of said tract and bounded on the south by the easterly extension of a line parallel with and 5 feet northerly of the southerly line of Lot 51, Block 9, of said tract.

RESERVING to the Los Angeles County Flood Control District, an easement for appurtenant structures and ingress and egress purposes in, on, over, and across the above-described portion of FETTERLY AVENUE herein being vacated.

Also RESERVING easements and rights for utility purposes to Southern California Edison, The Gas Company, SBC (Pacific Bell), Adelphia (Buenvision Cable) and California Water Service Company in, on, over and across the above-described portion of FETTERLY AVENUE herein being vacated.

The reservation herein being made is done in accordance with the provision of Sections 8340 and 8341 of the Streets and Highways Code of the State of California.

PART B:

That portion of said Lot 51 Block 9, of said tract, reserved in a Resolution setting aside to said County for public road and highway purposes and described in a deed recorded on November 12, 1975, as Document No. 6092 of Official Records, in said recorder's office lying northerly of a line parallel with and 5 feet northerly of the southerly line of said Lot 51.

Total Area: 54,081 ± square feet

Description Approved

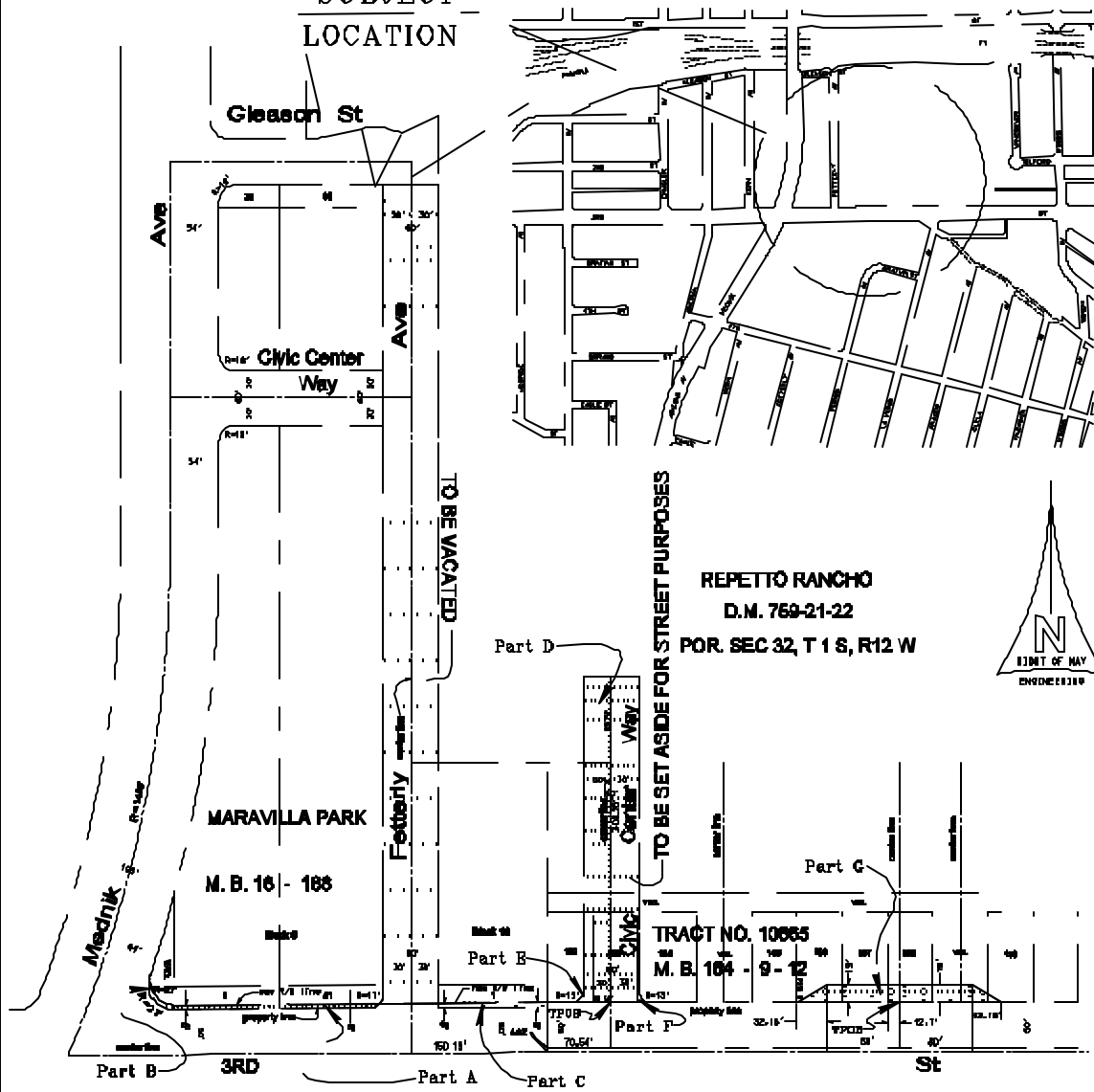
DONALD L. WOLFE
Interim Director of Public Works

By _____
Cadastral Engineer II

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the Land Surveyors Act.



RH:llb
P5:exhb-a(ELACC2)

SUBJECT LOCATION



REPETTO RANCHO
D.M. 769-21-22
POR. SEC 32, T 1 S, R12 W

LEGEND

-  Area to be vacated
Total Area 54,081± s.f.
-  Area to be set aside
for street purposes
Total Area 27,113.91± s.f.

			REVISIONS	1. 10-29-03	2. 07-08-04	3.
DEPARTMENT OF PUBLIC WORKS				MAPPING & PROPERTY MANAGEMENT DIVISION		
SD. 1	RD. 142	A.M.B. 5250-001 002,003&026	T.G. 635-G6	E.L.A. CIVIC CENTER		DRAWING NO.
SCALE NONE	DATE 7-8-04	I.M. 114-237	COMPLEX		M0076103	

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